

NO. 3:15-CV-02935-B

MALLORY MEYER, AS EXECUTOR	§	IN THE UNITED STATES DISTRICT
OF THE ESTATE OF JAMES	§	COURT
EVERETT MEYER	§	
Plaintiff,	§	
	§	
V.	§	FOR NORTHERN DISTRICT OF
	§	
	§	
CITY OF MAYPEARL AND KEVIN	§	TEXAS DALLAS DIVISION
COFFEY	§	
Defendants.	§	

PLAINTIFF'S MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Plaintiff, Mallory Meyer, as Executor of the Estate of JAMES EVERETT MEYER, Movant herein, and brings this Motion for Continuance, and in support hereof, shows the court the following:

I.

This case is set for trial on October 17, 2016. The Plaintiff requests a continuance of the Scheduling Order, to include the reset of all pre-trial deadlines and trial date. The parties have engaged in discovery; however additional discovery time is needed to effectuate meaningful progress toward resolution or preparation for trial.


II.

This continuance is not sought for delay only, but that justice may be done. The Ellis County District Clerk records indicate that Co-Defendant Kevin Coffey had a final pre-trial setting for his pending criminal matter set for July 7, 2016. Plaintiff has previously requested a copy of the Texas Rangers report involving Co-Defendant Coffey, but was told that the Ellis County District Attorney's Office will not provide the report until the criminal case against

Coffey has concluded. We believe crucial discovery material which would be helpful to the Plaintiff and Defense is included in this report.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Mallory Meyer, as Executor of JAMES EVERETT MEYER, Movant herein, requests this Court to grant this Motion for Continuance and to continue this case for at least 180 days, and for such other and further relief that may be awarded at law or in equity.

Respectfully submitted,

By: 

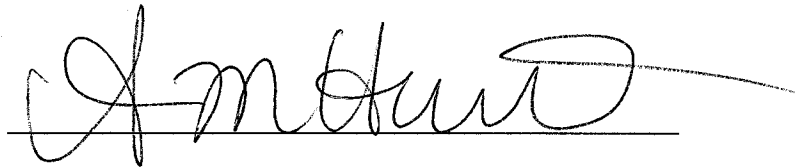
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Attorney for Plaintiff
Mallory Meyer, as Executor of JAMES
EVERETT MEYER


Mallory Benham (Meyer)

CERTIFICATE OF SERVICE

I certify that on July 18, 2016 a true and correct copy of Plaintiff's Motion for Continuance was served to each person listed below by the method indicated.

A handwritten signature in black ink, appearing to read 'A. M. Hunter', is written over a horizontal line.

ANDREA M. HUNTER

E-mail: andrea@justicerequired.com

Darrell G-M Noga
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Date: July 18, 2016 Time: 3:05 p.m.
Document was Electronically Served, and
Electronic Transmission was Reported as Complete.

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Date: July 18, 2016 Time: 3:05 p.m.
Document was Electronically Served, and
Electronic Transmission was Reported as Complete.

CERTIFICATE OF CONFERENCE

I certify that I have conferred, or made a reasonable attempt to confer, with all other parties which are listed below about the merits of this motion with the following results:

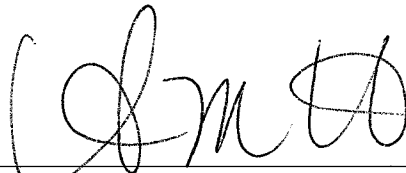
City of Maypearl

Bryan David

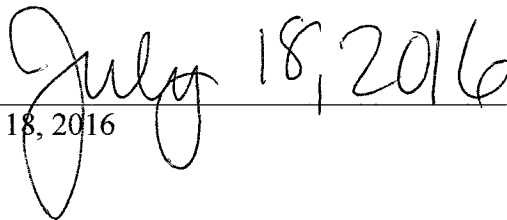
opposes motion as to the City of Maypearl, unopposed as it pertains to co-defendant Kevin Coffey

Kevin Coffey

has been mailed a copy of this motion as he is in custody.



Andrea M. Hunter



July 18, 2016